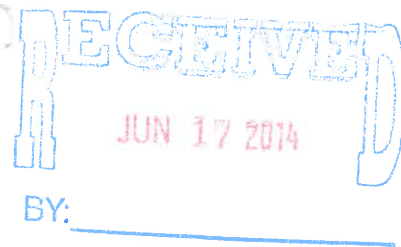




Community Development Department
PRELIMINARY DEVELOPMENT PLAN



FOR OFFICE USE ONLY	
<input type="checkbox"/> ZC# <u>PDP-2014-0048</u>	<input type="checkbox"/> C-PUD <input checked="" type="checkbox"/> I-PUD (zoning amendment)
PUD <u>Millbrook Farms</u>	Existing Zoning District <u>AG</u>
Application/File Name: <u>Millbrook Farms Rezoning</u>	
Board/Commissions & Date: <u>REBA 7/17/14</u> <u>PC 7/21/2014</u>	
C-PUD ZC# _____	Date of Approval _____

If rezoning your site to I-PUD, use this application rather than the Zoning Amendment Application

SITE Address	<u>7427 Bevelhymer Road</u>
Parcel(s) ID #	<u>220-000431</u> <u>220-001796</u>
Project Name:	_____
Project Description	<u>Single family subdivision</u>
_____	_____
_____	_____

APPLICANT and contact person for communication - please type or print	
Company Name	<u>Canini & Associates LLC</u>
Contact Name	<u>Larry Canini</u>
Address	<u>P.O. Box 887</u>
City, State, Zip	<u>New Albany, OH 43054</u>
Phone <u>614-296-3872</u>	Fax _____ Email <u>lcanini@aol.com</u>
(Please circle preferred manner of communication)	

OWNER- please type or print	
Company Name	<u>see attached sheet</u>
Contact Name	_____
Address	_____
City, State, Zip	_____
Phone _____	Fax _____ Email _____

Please submit this application (1 copy) along with 15 copies of the supporting documents.

Site visits to the property by Village of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives to visit, photograph and post a notice on the property described in this application.

I certify that the information here within and attached to this application is true, correct and complete.

Joseph E. Yurvatil et al.

By: Joseph E. Yurvatil et al.

Signature of Owner

Canini & Associates LLC

By: Joseph E. Yurvatil et al.

Signature of Applicant

6/17/14

Date

6/17/14

Date

PLEASE COMPLETE REVERSE SIDE

PROPERTY OWNERS

Joseph E. Yurvati
Annamarie Yurvati
7435 Bevelhymer Road
New Albany, OH 43054

Robert Sammons
Iva L. Sammons
7427 Bevelhymer Road
New Albany, OH 43054

canini-bevelhymer-po.lst (nct)
6/16/14 F:Docs

Site/Project Information

Item	Amount
Acres:	19.18± acres
Number of Residential Lots:	30
Number of Residential Units:	30
Proposed Public Parkland/Open Space Acres:	
Proposed Private Parkland/Open Space Acres:	6.42

Detailed project description:

The proposed single family subdivision consists of thirty lots (two of which contain existing homes). The site is divided by Sugar Run Creek which is protected by open space. There are two streets coming off of Bevelhymer Road with lots on either side of the streets.

FOR OFFICE USE ONLY		
Fee \$ _____		
<input type="checkbox"/> Approved By _____ (Staff initials)	Date _____	Conditions _____
<input type="checkbox"/> Denied By _____ (Staff initials)	Date _____	Notes _____
Permit # _____		



Community Development Department
ROCKY FORK BLACKLICK ACCORD ZONING AMENDMENT

RECEIVED
JUN 17 2014

BY: _____

FOR OFFICE USE ONLY

ZC# RF-2014-0047 Existing Zoning District _____ Proposed Zoning District _____
Application/File Name: _____
Board/Commissions & Date: _____

SITE Address 7427 Bevelhymer Road
Parcel(s) ID # 220-000431 220-001796
Project Description single family subdivision

APPLICANT and contact person for communication - please type or print

Company Name Canini & Associates LLC
Contact Name Larry Canini
Address P.O. Box 887
City, State, Zip New Albany, OH 43054
Phone 614-296-3872 Fax _____ Email lcanini@aol.com
(Please circle preferred manner of communication)

OWNER- please type or print

Company Name See attached sheet
Contact Name _____
Address _____
City, State, Zip _____
Phone _____ Fax _____ Email _____

Please submit this application (1 copy) along with 15 copies of the supporting documents.

Site visits to the property by Village of New Albany representatives are essential to process this application. The Owner/Applicant, as signed below, hereby authorizes Village of New Albany representatives to visit, photograph and post a notice on the property described in this application.

I certify that the information here within and attached to this application is true, correct and complete.

By: Joseph E. Yurvatiet al.

Signature of Owner

Canini & Associates LLC

By: John B. Reynolds III

Signature of Applicant

6/17/14
Date

6/17/14
Date

PROPERTY OWNERS

Joseph E. Yurvati
Annamarie Yurvati
7435 Bevelhymer Road
New Albany, OH 43054

Robert Sammons
Iva L. Sammons
7427 Bevelhymer Road
New Albany, OH 43054

canini-bevelhymer-po.lst (nct)
6/16/14 F:Docs

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Jackson B. Reynolds, III, 37 West Broad Street, Suite 460, Columbus, OH 43215 being first duly cautioned and sworn, deposes and states that he is the applicant or duly authorized attorney for same and the following is a list of the names and mailing addresses of all the owners of the record of the property located at 7427 & 7435 Bevelhymer Road, New Albany, OH 43054 for which the application for a rezoning, variance or special permit was filed for with the City of New Albany on June 17, 2014.

SUBJECT PROPERTY OWNER'S NAME: Joseph & Annamarie Yurvati
 Robert & Iva Sammons

MAILING ADDRESS: 7435 & 7427 Bevelhymer Road, New Albany, OH 43054

PROPERTY OWNER'S NAME(S)	ADDRESS OF PROPERTY	COMPLETE MAILING ADDRESS OF PROPERTY OWNER, INCLUDING ZIP CODE
-----------------------------	------------------------	--

See attached sheet

SIGNATURE OF APPLICANT

Jackson B. Reynolds III

Subscribed and sworn to me in my presence and before me on this 16th day of June, 2014.

SIGNATURE OF NOTARY PUBLIC

Natalie C. Timmons

canini-bevelhymer-rezoning.aff (nct)
6/16/14 F: Drive



Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

Norman R & Judy M Adkins
7380 Bevelhymmer Road
New Albany, OH 43054

William D & Barbara J Barson
6926 Camden Drive
New Albany, OH 43054

Madalyn I Benjamin
6933 Camden Drive
New Albany, OH 43054

William L & Cheri J Booth
7188 South Upper Clarenton Drive
New Albany, OH 43054

John J & Linda L Burling
6946 Camden Drive
New Albany, OH 43054

William F & Deborah D Butler
6927 Camden Drive
New Albany, OH 43054

Alexander J & Martha P Campbell
6937 Camden Drive
New Albany, OH 43054

Kenneth D & Martha K Crist
6922 Camden Drive
New Albany, OH 43054

Maria Elena Cruz
6932 Camden Drive
New Albany, OH 43054

Dardinger Real Properties LLC
7061 Camden Drive
New Albany, OH 43054

William S Davis
6936 Camden Drive
New Albany, OH 43054

Bradley C & Martha M Day
691 Joysmith Circle
New Albany, OH 43054

Curtis C Deeter
7198 South Upper Clarenton Drive
New Albany, OH 43054

Michel H Dos Santons
7464 Bevelhymmer Road
New Albany, OH 43054

David W & Patricia A Ewing
6934 Camden Drive
New Albany, OH 43054

Gary L & Mary L Gambill
7446 Bevelhymmer Road
New Albany, OH 43054

Cynthia Garcia
6928 Camden Drive
New Albany, OH 43054

Kenneth D & Lynda J Hill
7060 Dean Farm Road
New Albany, OH 43054

Darlene E Hilsabeck
6950 Joysmith Circle
New Albany, OH 43054

Rollin D Jr. & Carol A Jauchius
6935 Camden Drive
New Albany, OH 43054

Alexis M Kasko
Nathan C Strine
7090 Dean Farm Road
New Albany, OH 43054

David G & Linda D Kretschmaier
6916 Camden Drive
New Albany, OH 43054

M/I Homes of Central Ohio LLC
3 Easton Oval, Suite 540
Columbus, OH 43219

John W & Deborah L Manter
6948 Camden Drive
New Albany, OH 43054

Nelson C & Gail C Merrell
6920 Camden Drive
New Albany, OH 43054

Nelson C & Gail C Merrell
6920 Camden Drive
New Albany, OH 43054

Eileen J & James L Miller
6939 Camden Drive
New Albany, OH 43054

Linda Modry
6942 Camden Drive
New Albany, OH 43054

Jeffrey L & Gloria J Moore
6938 Camden Drive
New Albany, OH 43054

Peter R & Teresa L Morris
6933 Camden Drive
New Albany, OH 43054

Rayburn E & Brenda L Murphy
7388 Bevelhymer Road
New Albany, OH 43054

New Albany Links Development Co Ltd.
c/o New Albany Links HOA
c/o Sterling Realty
777A Dearborn Park Lane
Worthington, OH 43054

Nancy Orth
6924 Camden Drive
New Albany, OH 43054

Joseph A Roach
7401 Bevelhymer Road
New Albany, OH 43054

William Schubert
7412 Bevelhymer Road
New Albany, OH 43054

Gordon J & Janet K Schutt
6929 Camden Drive
New Albany, OH 43054

David G & Brenda M Smith
6940 Camden Drive
New Albany, OH 43054

George R & Sondra C Stribick
7400 Bevelhymer Road
New Albany, OH 43054

David G & Josefina B Taylor
7208 South Upper Clarenton Drive
New Albany, OH 43054

Toby J Thunberg
Sally Henry
6154 Tetlin Field Drive
New Albany, OH 43054

Thomas D Trapp et al.
6930 Camden Drive
New Albany, OH 43054

Upper Clarenton Homeowners Assoc.
P.O. Box 1068
New Albany, OH 43054

Andres G Villasana
Claudia C Fontes
7098 Dean Farm Road
New Albany, OH 43054

Clarence O Zielke et al.
6931 Camden Drive
New Albany, OH 43054

William L & Cheri J Booth
7188 South Upper Clarenton Drive
New Albany, OH 43054

Vladimir Cervjakov
7228 South Upper Clarenton Drive
New Albany, OH 43054

Kevin D & Abby L Foust
7441 Bevelhymer Road
New Albany, OH 43054

William Hoelcher
7555 Bevelhymer Road
New Albany, OH 43054

Scotty B & Carol S Jackson
7238 South Upper Clarenton Drive
New Albany, OH 43054

William S & Gwyn A Lenhart
7480 Bevelhymer Road
New Albany, OH 43054

Angela M & Conrad T Mahoney
7218 South Upper Clarenton Drive
New Albany, OH 43054

Patricia Phillips
7447 Bevelhymer Road
New Albany, OH 43054

Toby J Thunberg
Sally Henry
7428 Bevelhymer Road
New Albany, OH 43054



Zoning Description
19.050 Acre Tract

BY: _____

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 9, Township 2, Range 16, in the United States Military Lands, and also being all of the remainder of a 24.875 acre tract in the name of Robert and Iva L. Sammons as described in Deed Book 2493, Page 86 as well as a 5.000 acre tract in the name of Joseph E and Annamarie Yurvati as described in Deed Book 3609, Page 148, all records are to the Franklin County Recorder's Office, Franklin County Ohio:

Beginning for reference in the centerline of Bevelhymmer Road at the northeasterly corner of New Albany Links Section 6 as shown of record in Plat Book 97, page 66, also being the southeasterly corner of a 1.000 acre tract in the name of Joseph A. Roach as described in IN 200305220151781;

Thence North 86°16'52" West, with the northerly line of said New Albany Links Section 6 a distance of 310.46 feet to the southwesterly corner of said 1.00 acre tract and the **True Place of Beginning** for the tract of land herein being described;

Thence North 86°16'52" West, with the northerly line of said New Albany Links Section 6 a distance of 718.97 feet to the southeasterly corner of a Reserve "F" in Upper Clarenton Section 1 as shown of record in Plat Book 108, Page 38;

Thence North 03°43'45" East, with the easterly lines of said Reserve "F", also Reserve "M", Reserve "N", and Reserve "O" of the Re-subdivision of All of Reserve "A", Reserve "C", Reserve "G", Reserve "H", Reserve "I", and Reserve "J" of Upper Clarenton Section 1, as shown of record in Plat Book 115, Page 81 a distance of 869.19 feet to the southwesterly corner of a 3.700 acre tract in the name of Kevin D. and Abby L. Foust as described in IN 201106230078650;

Thence South 86°34'46 East, with the southerly line of said 3.700 acre tract, a distance of 994.57 feet to the westerly right of way line of said Bevelhymmer Road;

Thence South 03°24'37" West, with said right of way line a distance of 734.06 feet to a point on the northerly line of said 1.000 acre Roach tract;

Thence North 86°16'52" West, with the northerly line of said 1.000 acre Roach tract a distance of 280.52 feet to the northwesterly corner of said Roach tract;

Thence South 03°32'08" West, with the westerly line of said 1.000 acre Roach tract a distance of 140.32 feet to the **True Place of Beginning** containing 19.050 acres more or less.



Civil & Environmental Consultants, Inc.

Celebrating 25 Years

June 17, 2014

New Albany
Community Development Department
99 West Main Street
P.O. Box 188
New Albany, Ohio 43054



BY: _____

To Whom It May Concern:


Subject: Preliminary Development Plan
Section 401/404 Permitting
Millbrook Farm at Sugar Run
7427 & 7435 Bevelhymer Road
New Albany, Franklin County, Ohio
CEC Project 132-190


On behalf of our client, Canini & Associates, LTD, Civil & Environmental Consultants, Inc. (CEC) verifies that they are in the permitting process under Section 401/404 of the Clean Water Act for the proposed Millbrook Farms at Sugar Run property located at 7427 & 7435 Bevelhymer Road (herein referred to as the "Site"), in New Albany, Ohio. CEC conducted a Preliminary Jurisdictional Waters Determination (PJWD) of the Site on May 1, 2014. CEC determined that eight wetlands and two streams were present on the Site

If you have any questions or need additional information please call the undersigned at 614-540-6633, or email Jonathan Demarest at jdemarest@cecinc.com.

Respectfully submitted,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.


Jonathan C. Demarest
Project Manager


Bill Acton, PWS
Principal

Schedule of Site Development

Once the zoning has been approved, the applicant would begin work on the engineering for the site in the fall of this year. Site improvements would be constructed in the spring of 2015 with home construction following the site improvements. The applicant expects a two year build out for the homes subject to market conditions.

canini-sch.nte (nct)
6/16/14 F:Docs



BY: _____

JEFFREY L. BROWN
GLEN A. DUGGER
JACKSON B. REYNOLDS, III
DAVID L. HODGE

SMITH & HALE LLC
ATTORNEYS AND COUNSELORS AT LAW
37 WEST BROAD STREET
COLUMBUS, OHIO 43215-4199
www.smithandhale.com

HARRISON W. SMITH, JR.
1926-2009
OF COUNSEL
BEN W. HALE, JR.

614/221-4255

June 17, 2014



BY: _____

Ms. Adrienne Joly
Deputy Director or Development
City of New Albany
99 West Main Street
New Albany, OH 43054

RE: School Impact of Rezoning/Preliminary Development Plan for Millbrook Farm at Sugar Run

Dear Adrienne:

Canini & Associates (Canini) own certain real property (the "Property") located on the west side of Bevelhymer Road and to the north of New Albany Road East, which is the subject of a rezoning/preliminary development plan application ("Application") that has been filed with the City of New Albany. The Application, once approved, will allow for the development of 28 residential lots and rehabilitation of 2 existing homes on 19.1± acres in a community to be known as Millbrook Farm at Sugar Run ("Millbrook"). The purpose of this letter is to analyze the impact of this project on the New Albany-Plain Local School District (NAPLS).

Description of Product

Millbrook will have lot and home sizes that are similar to other residential subdivision in New Albany. The homes to be constructed in this community will serve a market within the City that is in great demand, with home values expected to range from \$550,000 to \$600,000. For purposes of evaluating the impact of this development on the school district, an average home value of \$575,000 has been assumed.

Current Zoning Entitlements

The present zoning of the property that is the subject of the Application is AG, Agricultural as the ground is being annexed into the City and the City designates newly annexed property in the AG District. The AG zoning classification allows for residential uses on the lots that are a minimum of 5 acres in size, meaning that the 19.1 acres that are presently zoned on the Property as AG would allow for the construction of 3 single-family homes. Therefore, the present zoning classification of the Property entitles the property owner to construct 3 homes.

Once approved, the Application will allow for 27 more homes to be constructed on the Property than are presently allowed (such units to be referred to herein as the "Additional Units". The impact of this project on the school district lies with the additional units that will be permitted to be developed on the Property once the Application is approved.

Ms. Adrienne Joly
June 17, 2014
Page 2

Impact of Millbrook on the NAPLS

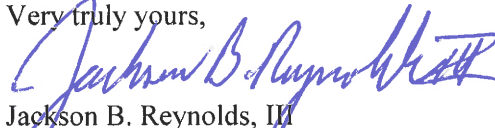
According to the school district, the annual cost to educate a single student is \$11,626 (see 2013 *Community and Financial Report*, available on school district's website). Of this amount, 14% is funded by the State of Ohio and 86% is funded at the local level. Therefore, of the total annual cost to educate a single student in the NAPLS, \$9,998 is funded at the local level. It can be expected that on average 0.8 students will be produced by each home that is constructed in Millbrook, for a total of 22 students from the Additional Units (27 homes x 0.8 students/home = 22 students). The total cost to educate the students from this development will be \$219,956 annually (22 students x \$9,998 annual local cost/student = \$219,956).

The average value of the homes to be constructed in this development will be \$575,000. At this price, the average unit will have an assessed value of \$201,250 ($35\% \times \$575,000 = \$201,250$). The effective residential millage rate for the school district is 62.72, with 50.86 mills earmarked to cover operating expenses and the remaining 11.86 mills paid to pay for servicing of capital improvement bonds. The annual real property taxes collected by the school district for each home will equal \$12,622 ($\$183,750 \text{ Assessed Value} \times 0.06272 = \$12,622$). Of this amount, \$10,236 will cover the direct costs of educating students and \$2,386 will cover debt service on bonds. Both of these numbers are reduced by the 12.5% property tax rollback, leaving \$8,957 available from the average home to cover operating costs and \$2,088 per unit to cover bond costs. As a result, the 27 Additional Units will generate \$241,839 annually in school district revenue for operations, and \$56,376 per year in revenue to pay debt service on bonds.

The result is the annual school revenue from this new development that goes toward the cost of educating students is above the costs associated with educating the students who live in this community ($\$219,956 \text{ annual cost to educate students} - \$241,839 \text{ annual revenue for operations} = \$21,883 \text{ positive operating revenue}$) by \$21,883.

Canini & Associates is pleased to bring forth this application as it provides a more than adequate amount of money to educate the 22 new students coming from the new subdivision and look forward to working with the City on this project. Please let me know if you have any questions.

Very truly yours,



Jackson B. Reynolds, III
Attorney for Canini & Associates

JBR/nct

**MILLBROOK FARM AT SUGAR RUN
DEVELOPMENT TEXT**



BY: _____

I. Introduction

Millbrook Farms at Sugar Run is located south of Walnut Street on the west side of Bevelhymer Road. The site is 19.18± acres.

II. Purpose

The purpose of this development is to construct a neighborhood that provides a dynamic upscale living opportunity in the City of New Albany. Upon completion, the development will be a strong and vibrant neighborhood with links to the community. The proposed site plan takes into consideration the Sugar Run Creek in its design. The creek corridor is preserved in open space.

III. Permitted Uses

1. Single family detached dwellings and the permitted uses contained in the Codified Ordinances of the City of New Albany, R-1 Single Family Residential Estate District, Section 1131.02, the accessory uses contained in Section 1131.03, and the conditional uses contained in Section 1131.04, provided the conditional uses comply with Chapter 1115.

V. Unit Types

Single family dwellings shall comply with the design guidelines of the development standards in this text and the City's Design Guidelines and Requirements contained in Section 1 and Section 5.

VI. Development Standards

Unless otherwise specified in the submitted drawings or in this written text, the development standards of Title Five of the Codified Ordinances of the City of New Albany shall apply.

Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

A. Density, Height, Lot and/or Setback Commitments

1. The maximum number of single family dwellings shall be thirty (30).

2. The development shall be constructed generally in accordance with the submitted Preliminary Development Plan.
3. The minimum lot width at the building line shall be seventy (70) feet.
4. The minimum lot depth shall be one hundred six (106) feet.
5. The minimum front yard setbacks shall be twenty-five (25) feet. Stoops or front porches may encroach 8 feet into the setback.
6. The minimum side yard shall be ten (10) feet. Bay windows and chimney are allowed to encroach into the side yard. Air conditioner condenser units are permitted in the side yard.
7. Garages must adhere to the minimum side yard and rear yard setbacks along all public roads.
8. The minimum rear yard lot shall be thirty (30) feet.
9. All lots shall front on a public right-of-way.
10. Maximum building height shall be measured from finished grade at the front door to the ridge on the roof. Maximum building height shall be forty-five (45) feet.
11. Maximum lot coverage shall be thirty-five percent (35%).

B. Access, Loading, Parking and/or other Traffic related commitments

1. All single family residences shall be required to have a minimum of two parking spaces which may be off-street or on-street, which includes garages.
2. Driveway Aprons: All driveway aprons (curb-cuts) shall be constructed to accommodate a maximum twenty-two (22) foot wide driveway at the right-of-way line. Building materials for the driveway may be asphalt, concrete or pavers.
3. The Final Development Plan for the subdivision shall include a network of trails and paths within the development through the open space with connections to adjacent properties as shown on the Preliminary Development Plan.

4. All thoroughfares must include provisions for appropriate signage such as no-parking signs in conformance with the uniform signage manual or other means approved by the City.
5. Multi-use paths, bikeways, and bike paths will be placed within a public easement.
6. The developer shall dedicate to the City of New Albany an additional ten (10) feet of right of way along the Bevelhymer Road.

C. Architectural Standards

1. The development shall comply with the applicable design standards contained in the City's "Design Principles and American Architectural Precedent standards" Section 1 Design Guidelines and Requirements and Section 5 Residential Outside Village Center.

D. Buffering, Landscaping, Open Space and/or Screening Commitments

1. Tree Preservation:

Reasonable and good faith efforts will be made to preserve existing trees and tree rows currently existing on the property. Consideration will be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of these wooded areas. Additionally, standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. Civic Space:

- a. A 4.8± acre neighborhood open space shall be provided around Sugar Run Creek as shown on the Preliminary Development Plan as a focal point. These open spaces shall be owned and maintained by the subdivision homeowners' association. Additional open spaces shall be provided at the end of each cul-de-sac, on each side of the proposed stub street to the north and the north west corner of Bevelhymer Road and the proposed public street south of Sugar Run Creek.
- b. The open spaces shall be landscaped and benches shall be provided.

3. Natural Features:

- a. Specimen trees and significant tree stands in the open spaces shall be preserved where feasible.

4. Street Trees:

- a. Street trees shall be required on both sides of internal streets. Trees are to be maximum distance of thirty feet on center. Trees may be grouped, provided the quantity is equivalent to 1 tree per thirty feet or fraction thereof. This requirement may be waived in areas where existing vegetation occurs. Trees shall not obstruct sight distance or signage, subject to staff approval. Street tree and signage locations shall be shown on the Final Development Plan for review and approval.
- b. All street trees shall be 2 ½ - 3" in caliper measured two (2) feet above the grade at installation.

5. Fences:

- a. Fences shall be used as temporary barriers during construction around vegetation and must be sturdy, at least 3 feet tall, and easy to maintain. All temporary fences must be removed prior to the issuance of a certificate of occupancy.
- b. Permanent fences are allowed as approved by the developer.
- c. No fence shall be constructed or maintained in any flood plain or forward of any building line.

6. Sugar Run Creek Preservation Zone:

- a. The Sugar Run Creek preservation zones are located as shown on the Preliminary Development Plan. No structure or building shall be placed upon, in or under the area designated "Preservation Area" hereon, nor shall any work including but not limited to grading and clearing be performed thereon which would alter the natural state or topography of such areas or damage any of the trees or vegetation thereon including but not limited to planting and mowing of turf grasses, provided that the use of hand tools for the removal of debris and dead woody vegetation shall be permitted. Special permanent 18" tall markers shall be placed on each side lot

line marking the edge of the 'Preservation Area". A temporary construction fence will be installed by the individual home builders 20 feet from the rear foundation wall of each house during construction or on the edge of the Preservation Zone in the extent such zone is located less than 20 feet from the house foundation and will be removed after all construction activity has been completed. The provisions of this paragraph shall be included as a plat note on the preliminary and final plat of the subdivision.

E. Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments

1. Lighting:

- a. Landscape lighting shall be used to provide for safety and ingress and egress only. Fixture lamps shall be incandescent and shall be shielded by planting or other methods.
- b. One photocell post lamp shall be installed for each residential unit in the front yard adjacent to the walkway.
- c. The standard Holophane Granville Series Acorn street light fixture or equal shall be utilized at street intersection. The standard pole shall be the Hapco stick pole with a split decorative base or equal. Finish of the fixtures shall be in Black. (Refer to street light fixture detail in Section 3, Figure 2 of the General Development Standards). Other light fixtures may be used subject to approval by the City of New Albany Planning Commission.

F. Graphics and Signage Commitments

The development shall utilize standard City of New Albany street and regulatory signage. Other signage may be used subject to approval by the City of New Albany Planning Commission.

G. Miscellaneous Commitments

1. Pre-fabricated storage buildings are prohibited.
2. Utilities: All proposed utilities shall be placed underground. Utility easement location and width shall be determined at the time of platting.

H. Variances

1. Nature of Variance. On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this PUD text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.
2. Variance and Appeals Process. The procedures and requirements of Chapter 1113, Appeal and Variances, of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. Requests for variance shall be heard by the Planning Commission.